

**TELECOPIER COVER SHEET****November 7, 2002**

<b>To: Assistant Commissioner for Patents</b>	<b>From: Estella Pineiro Patent Administrator 818/493-2251</b>
<b>Attention: Examiner Omar A. Khan Art Unit: 3762 TECHNOLOGY CENTER 3700</b>	<b>ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221</b>
<b>Telecopier: 703/306-4520</b>	<b>Telecopier: 818/362-4795</b>
<b>RE: Response to Restriction Requirement Applic. No. 09/858,183 Filed: 05/14/2001 Docket No. SJ1-010US</b>	<b>Number of pages being sent: <u>6</u> (including cover page)</b>

**FAX RECEIVED****DEC 06 2002****GROUP 3700**

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kerry Bradley et al.

Serial No.: 09/858,183

Examiner: O. Khan

Filed: 05/14/2001

Art Unit: 3762

Docket No.: SJ1-010US

For: CARDIAC STIMULATION DEVICES AND METHODS FOR  
MEASURING IMPEDANCES ASSOCIATED WITH THE  
LEFT SIDE OF THE HEART

**TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT**  
**AND CERTIFICATE OF MAILING**

BOX AMENDMENTS - NO FEE  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:


Submitted herewith for filing are the following documents:

X Response to Restriction Requirement  
X Transmittal of Amendment and Cert. of Mlg.  
X Fee Transmittal

Respectfully submitted,

Date:

11/7/02



Derrick Reed  
Reg. No. 40,138

Correspondence Address:

PACESETTER, INC.

15900 Valley View Court

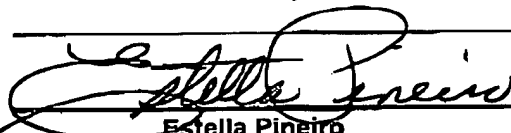
Sylmar, CA 91392-9221

818/493-2200

818/362-4795 (fax)

I hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark  
Office on:

November 7, 2002

 11/7/02  
Estella Pineiro Date

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)  
0**Complete if Known**

Application Number	09/858,183
Filing Date	05/14/2001
First Named Inventor	Kerry Bradley
Examiner Name	O. Khan
Group Art Unit	3762
Attorney Docket No.	SJ1-010US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

16-0068

PACESETTER, INC.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity / Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	180	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	x	
Multiple Dependent Claims	-3** =	x	

Large Entity / Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity / Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
118	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	480	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY**Name (Print/Type) **Derrick Reed**

Signature

Registration No.  
(Attorney/Agent)

40,138

**Complete (if applicable)**Telephone **818/493-2200**

Date

11/7/02

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PATENT

#7  
OL  
12-1002**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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<b>Applicant:</b>	Kerry Bradley et al.		
<b>Serial No.:</b>	09/858,183	<b>Examiner:</b>	O. Khan
<b>Filed:</b>	05/14/2001	<b>Art Unit:</b>	3762
<b>Docket No.:</b>	SJ1-010US		
<b>For:</b>	CARDIAC STIMULATION DEVICES AND METHODS FOR MEASURING IMPEDANCES ASSOCIATED WITH THE LEFT SIDE OF THE HEART		

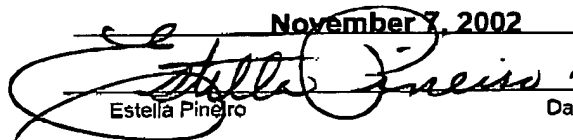
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**RESPONSE TO RESTRICTION REQUIREMENT**

BOX AMENDMENTS NO FEE  
Assistant Commissioner  
For Patents  
Washington, D.C. 20231

I hereby certify that this correspondence is being  
facsimile transmitted to the United States Patent  
and Trademark Office on:

November 7, 2002

  
Estella Pineda  
Date 11/7/02

Dear Sir:

In the Restriction Requirement, mailed October 23, 2002, the Examiner has identified four distinct inventions as follows:

- Invention I, corresponding to claims 1-10;
- Invention II, corresponding to claims 11-16;
- Invention III, corresponding to claims 17-32; and
- Invention IV, corresponding to claims 33-66.

Applicants hereby elect Invention I, corresponding to claims 1-10.

The Examiner has further identified three patentably distinct species of the claimed invention as follows:

- Embodiment 1, represented by Figures 3-8;
- Embodiment 2, represented by Figures 9-15; and

Embodiment 3, represented by Figures 16-22.

Applicants elect Embodiment 2, corresponding to Figures 9-15. The claims readable upon the election are Claims 1-10.

This election is made without traverse.

Upon the allowance of a generic claim, Applicant requests consideration of the non-elected claims.

Respectfully submitted,

11/7/02

Date



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